

REMARKS

Reconsideration of this application is now being requested. Claims 1-20 are now in this application. Claims 1-3, 10-14 and 19 have been amended.

Claims 1, 16 and 19 were rejected under 35 USC §102 as being anticipated by Razavilar et al (US Publication 2003/0104831). The office action alleges that Razavilar teaches “adjusting a first channel condition threshold (target channel condition) by a variable step size (+ and/or - a step size)” and a “receiver 620 using the nth variable steps 612 and 614 responsive to the error detection portion” to adjust nth iteration channel condition threshold. Figs 4 and 6 and page 8 paragraphs 72, 73, 77 and 79 were cited in support thereof. Applicants respectfully disagree.

Claim 1, as amended, recites the limitation of “adjusting a first channel condition threshold...using a first variable size step” (underline added). In Applicants’ earlier response, it was inadvertently stated that “Razavilar does disclose a variable step size” (underline added). This inadvertent statement was a typographical error. Applicants meant to state that “Razavilar does not disclose a variable step size”. Razavilar teaches adjusting a target channel condition metric corresponding to the ith terminal by reducing it by one step size (step 612) or increasing it by one step size (step 614). There is no teaching or suggestion that the step sizes of Razavilar are variable. Accordingly, it is felt that claim 1 is patentable under 35 USC §102 over Razavilar.

Claims 16 and 19 depend upon, and include all the limitations of, claim 1 and, thus, are also felt to be patentable under 35 USC §102 over Razavilar.

Claims 2-15, 17-18 and 20 were rejected under 35 USC §103(a) over Razavilar, and in further view of Shibutani et al (US Pub. 2002/0193133), Sindhushayana et al (US Pub. 2004/0202196) and/or Engstrom et al (US Patent 6,639,934). Claims 2-15, 17-18 and 20 depend upon, and include all the limitations of, claim 1. Applicants believe that neither Shibutani, Sindhushyana nor Engstrom teach or suggest variable size steps for adjusting target channel condition metrics. Accordingly, claims 2-15, 17-18 and 20 are also

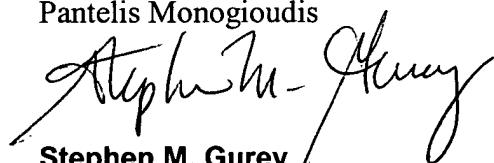
felt to be patentable under 35 USC §103(a) over Razavilar, and in further view of Shibutani et al (US Pub. 2002/0193133), Sindhushayana et al (US Pub. 2004/0202196) and/or Engstrom et al (US Patent 6,639,934).

Claims 3, 5-6, 8-9 and 14-15 were objected to as being upon a rejected base claim but would have been allowable if rewritten into independent form. For the reasons discussed above, it is felt that claims 3, 5-6, 8-9 and 14-15 are allowable in their present form.

Respectfully submitted,

Sridhar Gollamudi

Pantelis Monogioudis



Stephen M. Gurey  
Attorney for the Applicant  
Reg. No. 27,336  
(973)-386-8252

Date: **January 27, 2006**

Docket Administrator (Room 3J-219)  
Lucent Technologies Inc.  
101 Crawfords Corner Road  
Holmdel, NJ 07733-3030